



Docket No.: 250162US2



ATTORNEYS AT LAW

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

RE: Application Serial No.: 10/796,106
Applicants: Masahiro YAMADA, et al.
Filing Date: March 10, 2004
For: DISTRIBUTION NETWORK MONITORING AND
CONTROL SYSTEM
Group Art Unit: 2125
Examiner: Jarret, Ryan A.

SIR:

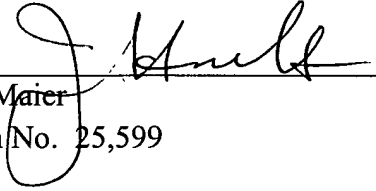
Attached hereto for filing are the following papers:

Filing Receipt, Petition

Our check in the amount of \$,0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



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Docket No. 250102US2



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF : Masahiro YAMADA, et al.
: GROUP: 2125
SERIAL NO.: 10/796,106 : DATE ALLOWED: March 7, 2005
FILED: March 10, 2004 : EXAMINER: Jarrett, Ryan A.
FOR: DISTRIBUTION NETWORK :
MONITORING AND CONTROL
SYSTEM

PETITION FOR CONSIDERATION UNDER 37 CFR §1.181(a)(3) RE:

INFORMATION DISCLOSURE STATEMENT FILING(S)

COMMISSIONER FOR PATENTS
Alexandria Virginia, 22313

SIR:

This is a Petition pursuant to 37 CFR §1.181(a)(3) requesting that the Examiner be instructed by the Commissioner or his representative to notify Applicants of proper consideration of the information disclosure statement (IDS) that was filed on April 26, 2004.

STATEMENT OF FACTS

On April 26, 2004, Applicants filed the above-noted IDS under 37 CFR §§1.97 and 1.98, which filing is clearly documented by the attached copy of the associated date-stamped Mail Room receipt and copies of the IDS papers including the Form PTO 1449 and cited references (2). The PTO has not responded to this IDS filing by supplying Applicants with a copy of the Forms PTO 1449 filed on April 26, 2004, that has been properly initialed by the Examiner. Specifically,

reference "AO" (Japanese Document No. 63-109694) was crossed out by the Examiner, as having not been considered, without any explanation.

POINT FOR REVIEW

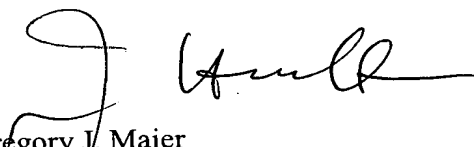
The point for review is why Applicants have not been provided a copy of the above-noted Form PTO 1449 filed on April 26, 2004, properly initialed by the Examiner in compliance with the rules.

ACTION REQUESTED

In light of the above, it is respectfully requested that the Examiner be directed to provide Applicants a copy of the above-noted Forms PTO 1449 filed on April 26, 2004, properly initialed by the Examiner in compliance with the rules.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND
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Docket No. 250162US2/ams



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Masahiro YAMADA, et al.

SERIAL NO: 10/796,106

GAU:

FILED: March 10, 2004

EXAMINER:

FOR: DISTRIBUTION NETWORK MONITORING AND CONTROL SYSTEM

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Applicant(s) wish to disclose the following information.

REFERENCES

- ☒ The applicant(s) wish to make of record the references listed on the attached form PTO-1449. Copies of the listed references are attached, where required, as are either statements of relevancy or any readily available English translations of pertinent portions of any non-English language references.
- ☐ A check or credit card payment form is attached in the amount required under 37 CFR §1.17(p).

RELATED CASES

- ☐ Attached is a list of applicant's pending application(s) or issued patent(s) which may be related to the present application. A copy of the patent(s), together with a copy of the claims and drawings of the pending application(s) is attached along with PTO 1449.
- ☐ A check or credit card payment form is attached in the amount required under 37 CFR §1.17(p).

CERTIFICATION

- ☐ Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this statement.

DEPOSIT ACCOUNT

- ☒ Please charge any additional fees for the papers being filed herewith and for which no check or credit card payment is enclosed herewith, or credit any overpayment to deposit account number 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Marvin J. Spivak

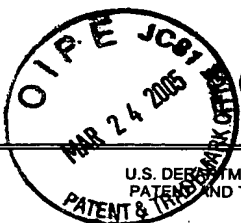
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Form PTO 1449
(Modified)U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

ATTY DOCKET NO.

250162US2

SERIAL NO.

10/796,106

LIST OF REFERENCES CITED BY APPLICANT

APPLICANT

Masahiro YAMADA, et al.

FILING DATE

March 10, 2004

GROUP

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	AA	5,973,899	10/26/1999	B. R. WILLIAMS, et al.			
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						
	AL						
	AM						
	AN						

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION	
					YES	NO
	AO	63-109694	05/14/1988	JAPAN		X
	AP					
	AQ					
	AR					
	AS					
	AT					
	AU					
	AV					

OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, etc.)

	AW	
	AX	
	AY	
	AZ	

☐ Additional References sheet(s) attached

Examiner

Date Considered

*Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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OSMM&N File No. 250162US2

Dept.: IP-I

By: MJS/ams

Serial No. 10/796,106

In the matter of the Application of: Masahiro YAMADA, et al.

For: DISTRIBUTION NETWORK MONITORING AND CONTROL SYSTEM

Due Date: 06/10/04

The following has been received in the U.S. Patent Office on the date stamped hereon:

■ Dep. Acct. Order Form

■ Information Disclosure Statement
(FILED WITHOUT OFR)

■ PTO-1449

■ Cited References (1)

■ Statement of Relevancy

